

Patent  
42478-6100 (BQ88)

**REMARKS**

Enclosed is a petition for an extension of time and the appropriate fee.

Applicant acknowledges with appreciation that Claims 11-14, 21-23 and 28-30 are allowed and that Claims 3 and 32 are allowable if rewritten in independent form. Claims 1-3, 11-14, and 21-32 remain in the case.

Applicant wishes to thank Examiner Tan Tran for the courtesy of two telephone interviews with Applicants representatives on February 25 and 26, 2004. During the telephone interview the cited reference by *Nakayama Kiyoharu* ("Kiyoharu" Japanese Patent Document 06-310763) was discussed and proposed amendment language was suggested in order to overcome the Kiyoharu reference. Applicant has amended the claims as suggested to overcome the Kiyoharu reference.

Claims 1, 24, and 25 were rejected under 35 U.S.C. 102(b) as being anticipated by Kiyoharu. Claims 1 and 24 are amended to conform to what the Applicant believes is acceptable language to distinguish over the Kiyoharu reference and are supported by the application as originally filed (Figs. 1 and 5A, and Specification page 3 line 10 to page 5 line 20). Claim 25 depends from the amended Claim 24 and is believed allowable.

Applicant respectfully requests this rejection be withdrawn.

Claims 2, 26, 27 and 31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kiyoharu.

Applicant respectfully submits that Claim 2 depends from the amendment Claim 1 discussed above, and is believed allowable. Independent Claim 26 is amended to conform to the amendment of Claim 1 and Claim 24 discussed above and is believed allowable. Claims 27 and 31 depend from the amended Claim 26 and are believed allowable.

Patent  
42478-6100 (BQ88)

Applicant respectfully requests this rejection be withdrawn.

Although the Office Action states that Claims 3 and 32 are allowable if rewritten in independent form, Applicant respectfully submits that, since Claims 3 and 32 depend from Claim 1, the amendment to Claim 1 is responsive to this requirement. Hence, Claims 3 and 32 no longer need to be rewritten in independent form.

Patent  
42478-6100 (BQ88)

It is believed that this case is in condition for an allowance and an early notification of the same is requested. If the Examiner believes that a telephone interview will help further the prosecution of this case, he is respectfully requested to contact the undersigned attorney at the listed telephone number.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Very truly yours,

**SNELL & WILMER L.L.P.**

By: \_\_\_\_\_

Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Joseph W. Price  
Registration No. 25.124  
1920 Main Street, Suite 1200  
Irvine, California 92614-7230  
Telephone: (949) 253-4920

**DRAFT**